

PUBLIC NOTICE

**US Army Corps
of Engineers®**

APPLICATION FOR PERMIT

Public Notice/Application No.: 2005-2118

Comment Period: October 4, 2007 through November 2, 2007

Applicant

Arizona Department of Transportation
Mr. Paul Patane, Yuma District Engineer
2243 E. Gila Ridge Road
Yuma, Arizona 85365

Location

The project is located on State Route 85 from milepost (MP) 130.40 to MP 137.94, approximately 17 miles south of the I-10-SR 85 junction, Maricopa County, Arizona, in Township (T) 3 South (S) Range (R) 4 West (W) Sections 10, 11, 14, 15, 22, 23, 26, 27, 34 and 35 and T4S R4W Sections 2, 3, 10, 11, 14 and 15. Lands in the project area are Arizona Department of Transportation (ADOT), Arizona State Land Department (ASLD) and privately-owned lands.

Activity

The existing undivided two-lane highway will be expanded to a four-lane divided highway from MP 130.40 to MP 137.94. The existing travel lanes will become the northbound lanes and two southbound lanes will be constructed west of the existing roadway. All travel lanes will be 12 feet wide with 8- to 10-foot wide paved shoulders. A segment of the paved western frontage road will be constructed south of Woods Road between MP 132.81 and MP 133.90; a segment of an unpaved western access road will be constructed north of Woods Road between MP 133.90 and MP 134.38. A segment of an unpaved eastern access road will be constructed between MP 132.24 and MP 134.45; a segment of the paved eastern frontage road will be constructed between MP 136.60 and MP 136.74. The unpaved access roads will be constructed by clearing the vegetation and driving a truck along the designed alignment to establish a path. There will be no grading, no scarification, and no change of profile along the access road alignments. Median crossovers will be constructed at MP 130.91, Woods Road, and MP 135.84. The existing culverts within the project limits will be extended or replaced to accommodate flows beneath the wider roadway. New culverts will be installed beneath the new southbound and paved frontage roadways. Culvert construction will include wingwalls, headwalls, concrete aprons, rip-rap basins, and channel excavation. All culvert construction and permanent impacts to waters of the US (Waters) are less than 0.50 acre at each location, except for Wash 178 (described below). This project will require the acquisition of new R/W as well as temporary construction easements.

Woods Road and SR 85 create a "T" junction at MP 133.90. The intersection will be realigned 250 feet to the south to MP 133.86 so that Woods Road and SR 85 are perpendicular to each other. Drainage in the vicinity of Woods Road trends southwest toward the Gila River via a network of

defined channels of varying widths. The terrain is rolling and the channels drain the Maricopa Mountains east of the existing roadway. The following description of impacts to Wash 178 begins at the upstream extent of impacts (eastern end) and moves to the downstream extent of impacts (western end). The eastern access road will be 60 feet wide. The existing terrain includes natural "dip sections" in the eastern access road alignment at MP 133.88 and MP 133.91, in Washes 177 and 178, respectively that allow flows to cross during storm events. No fill will be placed within the washes to construct the dip sections; therefore, the impacts within Waters from dip section construction will be temporary impacts. Downstream of the eastern access road, Washes 177 and 178 will be diverted into a new drainage channel. The new drainage channel will be constructed between the northbound lanes and the new eastern access road. The channel will originate at the upstream (eastern) end of the existing 6' x 7' x 80' concrete box culvert (CBC) for Wash 177 at MP 133.83 and will curve to the north beneath the eastern leg of Woods Road via a new 3-barrel, 10' x 5' x 65' CBC with upstream and downstream wingwalls. The drainage channel will extend approximately 1,320 feet with a 10-foot-wide channel bottom; the height of the banks will vary and the entire channel will be lined with wire-tied riprap. The full upstream flow from Wash 178 will be diverted into the drainage channel; two new 10' x 7' x 80' CBCs will be added to the existing CBC at MP 133.83 to convey the increased flows from the drainage channel. A 324' x 150' retention basin will be constructed in the northeast quadrant of the intersection, between the drainage channel and the northbound lanes. Retention basin construction will permanently impact a segment of Wash 178; however, the retention basin will primarily capture roadside drainage from the existing roadside drainage ditch parallel to and south of SR 85. Flows from the retention basin will be conveyed beneath Woods Road into the new drainage channel via a new 36" x 115' corrugated metal pipe (CMP). The Woods Road median crossover will be 68 feet wide. The new southbound lane pavement will be 74 feet wide. Fill slopes will be constructed to support the new median crossover and southbound lane pavement. Wash 178 will not be culverted beneath the median crossover and the new southbound lanes; therefore, segments of Wash 178 will be truncated. The existing 2-barrel, 8' x 6' x 80' CBC for Wash 178 at MP 133.89 will be plugged and abandoned, because all flows upstream of this CBC will be captured by the new drainage ditch. The western frontage road pavement will be 44 feet wide with adjacent fill slopes constructed to support the new pavement. A 36" x 115' CMP will be installed beneath the western frontage road to convey any flows that originate in the median downstream of the new southbound lanes. Approximately 3,325 feet of Wash 178 will be filled and/or truncated by construction of the eastern access road, drainage ditch, retention basin, median crossover, southbound lanes, and western frontage road. The western terminus of the truncated wash segment is the confluence of Washes 177 and 178. The jurisdictional width of Wash 178 varies between 15 and 21 feet; the estimated total permanent impact within jurisdictional waters within this segment is 1.247 acres. Total permanent impacts to jurisdictional waters to include Wash 178 are 4.326 acres. Total temporary impacts to jurisdictional waters to include Wash 178 are 1.162 acres.

For more information, see page 3 of this notice and attached drawings.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit application will be issued or denied under Section 404 of the Clean Water Act (33 U.S.C. 1344).

Comments can be e-mailed to: kathleen.a.tucker@usace.army.mil or mailed to:

**U. S. Army Corps of Engineers
ATTENTION: Regulatory Division (2005-191)
3636 North Central Avenue, Suite 900
Phoenix, Arizona 85012-1939**

For additional information please call Kathleen A. Tucker at (602) 640-5385 ext 254 or send an e-mail to kathleen.a.tucker@usace.army.mil. This public notice is issued by the Arizona Regulatory Branch of the Los Angeles District of the US Army Corps of Engineers.

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b) (1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

Water Quality- The applicant will be required to obtain water quality certification, under Section 401 of the Clean Water Act, from the Arizona Department of Environmental Quality. For any proposed

activity on land other than Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the Arizona Department of Environmental Quality. Section 401 of the Clean Water Act requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers.

Cultural Resources- Through consultation between the Federal Highway Administration (FHWA), ADOT, Advisory Council on Historic Preservation, Arizona Game & Fish Department, Arizona State Historic Preservation Office, ASLD, Arizona State Museum, Bureau of Land Management, the Corps, the Hopi Tribe, and Maricopa County, it has been determined that construction of the new roadway approaches will have an “adverse effect” on properties eligible for the National Register of Historic Places (NRHP). Accordingly, a programmatic agreement (PA) was developed. The PA stipulates that a treatment plan be implemented prior to construction to address impacts to NRHP-eligible properties. The consulting parties, including the Corps, will be provided opportunities to review and comment on materials prepared per the PA to fulfill their Section 106 responsibilities. No construction will occur within Wash 178 prior to completion of stipulations in the PA.

Endangered Species- The current U.S. Fish and Wildlife Service’s list of endangered, threatened, proposed, and candidate species for Maricopa County was reviewed in September 2007. Based on the review there were no threatened or endangered species or proposed threatened or endangered species known to occur within the project area; nor is any critical habitat located in the project area. Therefore, the proposed project will not jeopardize the continued existence of any endangered, threatened, proposed, or candidate species, or destroy or adversely modify critical habitat of such species.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

The permanent impacts to waters of the US are 1.247 acres. The jurisdictional determination was finalized on September 28, 2005. The existing culverts within the project limits will be extended or replaced to accommodate flows beneath the wider roadway. New culverts will be installed beneath the new southbound and frontage roadways, but not along the unpaved access roads. Culvert construction will include wingwalls, headwalls, concrete aprons, rip-rap basins, and channel excavation. All culvert construction and permanent impacts to waters of the US (Waters) are less than 0.50 acre at each location, except for Wash 178.

Approximately 3,325 feet of Wash 178 will be filled and/or truncated by construction of the eastern access road, drainage ditch, retention basin, median crossover, southbound lanes, and western frontage road. The western terminus of the truncated wash segment is the confluence of Washes 177 and 178. The jurisdictional width of Wash 178 varies between 15 and 21 feet; the estimated total permanent impact within jurisdictional waters within this segment is 1.247 acres.

Additional Project Information

SR 85 is a critical link between I-10 and I-8 in south-central Arizona. The SR 85 corridor is the only non-interstate portion of the principle route linking the city of Phoenix with the town of Gila Bend, the city of Yuma and other destinations southwest of Phoenix. Within the project limits, SR 85 is a two-lane rural arterial that is heavily used by both commercial and non-commercial vehicles traveling between Phoenix and San Diego. Intra-state trucks also use SR 85 to bypass the Phoenix area when traveling to Tucson. In addition, SR 85 is the primary route from Phoenix to Rocky Point, Mexico, an increasingly popular resort destination.

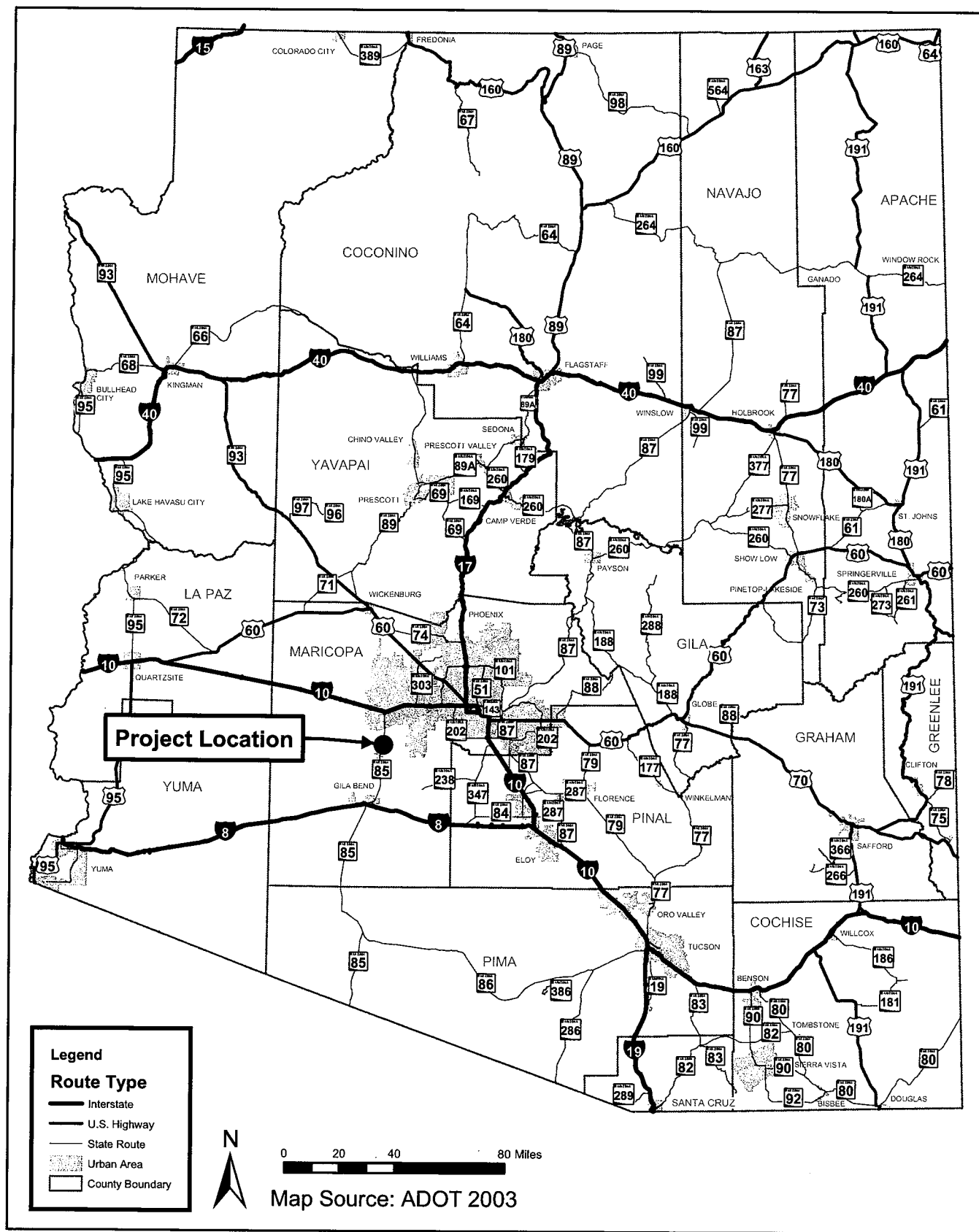
Therefore, SR 85 is one of the most heavily traveled rural highways in Arizona, with traffic between Buckeye and Gila Bend projected to increase significantly through 2022. Currently, all traffic within the project limits travels on an undivided two-lane highway. The purpose of the project is to provide efficient and less congested traffic flow through the SR 85 corridor in anticipation of increasing use by commercial and non-commercial vehicles. The four-lane divided highway will better accommodate the current and future traffic volumes and the frontage road segments will provide local traffic with alternative travel routes.

The ADOT Environmental Planning Group and the Corps have determined that on-site mitigation in the form of revegetation is not a viable solution to permanently offset losses of jurisdictional waters. All mitigation is therefore recommended to be in the form of in-lieu fees provided to the Arizona Open Land Trust as compensatory mitigation. Impacts to jurisdictional waters will result in the total permanent loss of 1.247 acres. The in-lieu amount will be \$5,500 per acre at the replacement ratio of 1:1. A joint project agreement will be executed between Arizona Open Land Trust and ADOT to transfer the in-lieu fees. The Arizona Open Land Trust will receive \$6858.50 for riparian habitat restoration projects.

Proposed Special Conditions

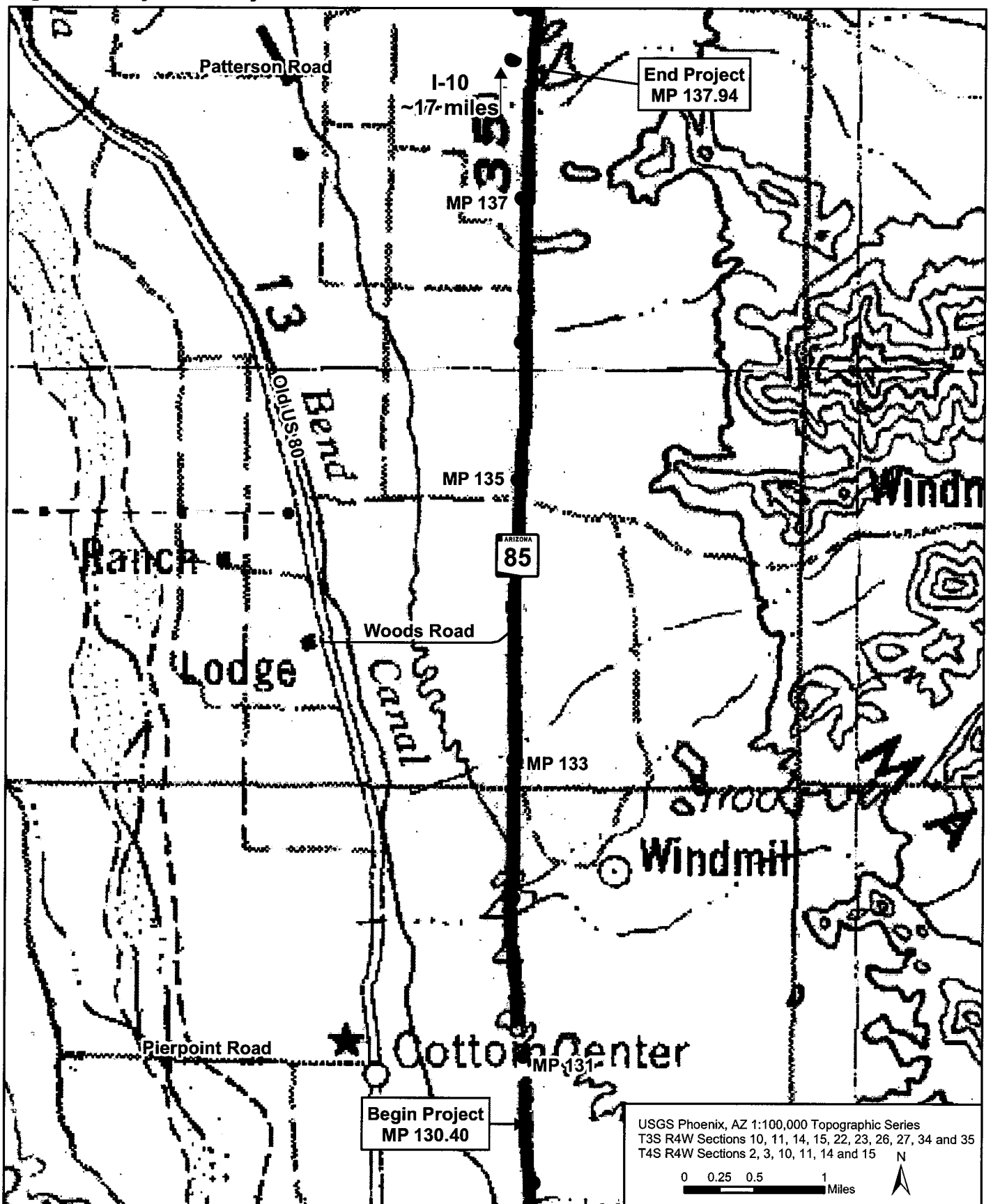
To be developed

Figure 1. Project location.



Corps Project File Nos. 2003-00163-CJL and 2005-02118-CJL
Federal Aid No. NH-085-B(011)
Project No. 085 MA 130 H5955 07C
Project Name: SR 85, MP 130.71–MP 137.00

Figure 2. Project vicinity.



Corps Project File Nos. 2003-00163-CJL and 2005-02118-CJL
 Federal Aid No. NH-085-B(011)
 Project No. 085 MA 130 H5955 07C
 Project Name: SR 85, MP 130.71-MP 137.00

Figure 5. Impacts to waters of the US within Wash 178.

Corps Project File Nos. 2003-00163-CJL and 2005-02118-CJL
Federal Aid No. NH-085-B(011)
Project No. 085 MA 130 H5955 07C
Project Name: SR 85, MP 130.71-MP 137.00

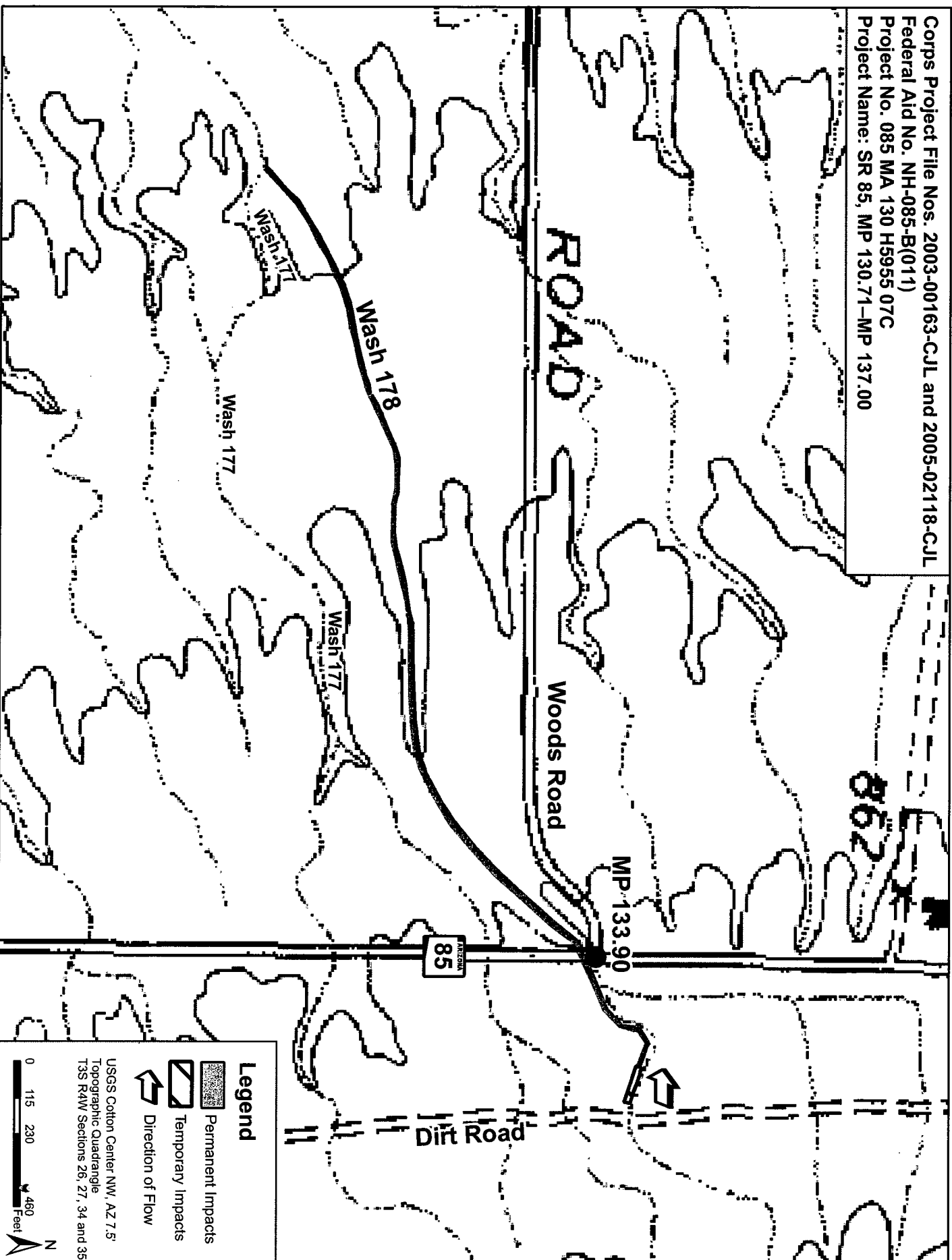
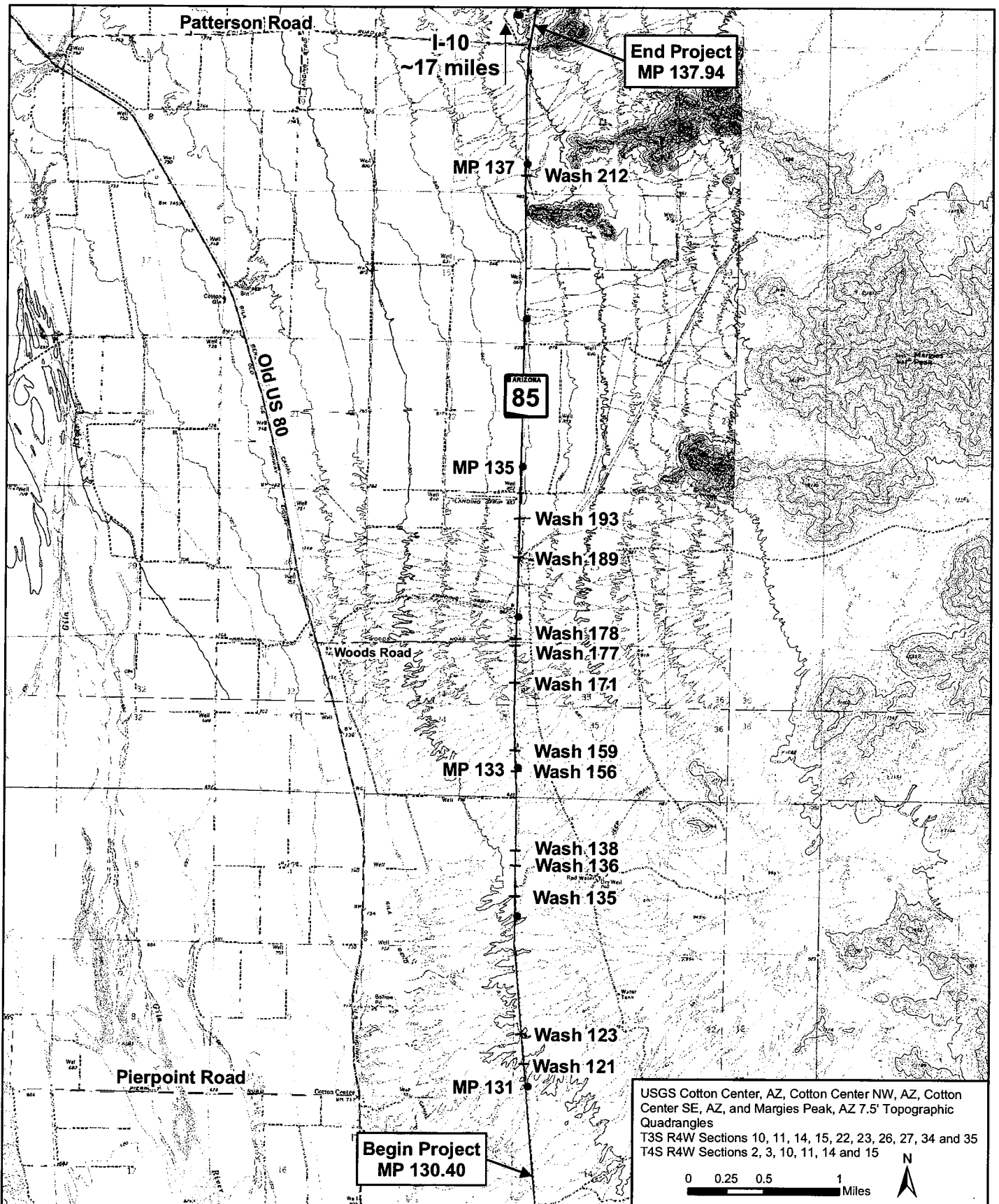


Figure 4. Location of the waters of the US addressed in Table 1.



Corps Project File Nos. 2003-00163-CJL and 2005-02118-CJL
Federal Aid No. NH-085-B(011)
Project No. 085 MA 130 H5955 07C
Project Name: SR 85, MP 130.71–MP 137.00

Table 2. Species excluded from further evaluation.

<u>Species</u> Common Name Scientific Name	<u>Status</u>	<u>Habitat Requirements</u>	<u>Exclusion Justification</u>
desert pupfish <i>Cyprinodon macularius</i>	E	Shallow springs, small streams, and marshes. Elevation Range: < 5,000 feet	No aquatic habitat present within project area.
Gila topminnow <i>Poeciliopsis occidentalis occidentalis</i>	E	Vegetated shallows, small streams, springs, and cienegas. Elevation Range: < 4,500 feet	No aquatic habitat present within project area.
razorback sucker <i>Xyrauchen texanus</i>	E	Riverine and lacustrine areas, generally not in fast moving water and may use backwaters. Elevation Range: < 6,000 feet	No aquatic habitat present within project area.
bald eagle <i>Haliaeetus leucocephalus</i>	T (delisted)	Large trees or cliffs near water (reservoirs, rivers and streams) with abundant prey. Elevation Range: varies	No suitable nesting or foraging habitat present within project area.
Yuma clapper rail <i>Rallus longirostris yumanensis</i>	E	Fresh water and brackish marshes. Elevation Range: < 4,500 feet	No aquatic habitat present within project area.
Southwestern willow flycatcher <i>Empidonax traillii extimus</i>	E	Cottonwood/willow and tamarisk vegetation along rivers and streams. Elevation Range: < 8,500 feet	No riparian areas present within project area.
yellow-billed cuckoo <i>Coccyzus americanus</i>	C	Large blocks of riparian woodlands (cottonwood, willow, or tamarisk galleries). Elevation Range: < 6,500 feet	No riparian areas present within project area.
Mexican spotted owl <i>Strix occidentalis lucida</i>	T	Nests in canyons and dense forests with multi-layered foliage structure. Elevation Range: 4,100 feet to 9,000 feet	Project area below known elevation range of species; no canyons or forest habitat present.
California brown pelican <i>Pelecanus occidentalis californicus</i>	E	Arizona lakes and rivers. Elevation Range: varies	No aquatic habitat present within project area.
Gila chub <i>Gila intermedia</i>	PE	Pools, springs, cienegas, and streams. Elevation Range: 2,000 feet to 3,500 feet	No aquatic habitat present within project area.
Arizona agave <i>Agave arizonica</i>	E	Usually found on steep, rocky slopes. Elevation Range: 3,000 feet to 6,000 feet	No steep, rocky slopes within project area.
Arizona cliffrose <i>Purshia subintegra</i>	E	White soils of tertiary limestone lakebed deposits. Elevation Range: < 4,000 feet	No limestone lakebed deposits within project area.
lesser long-nosed bat <i>Leptonycteris curasoae yerbabuenae</i>	E	Desertscrub habitat with agave and columnar cacti present as food plants. Elevation Range: < 6,000 feet	No roosting habitat in project area. No agaves in project area; limited habitat suitable for foraging present.
Sonoran pronghorn <i>Antilocapra americana sonoriensis</i>	E	Broad intermountain alluvial valleys with creosote-bursage and palo verde-mixed associations. Elevation Range: 2,000 feet to 4,000 feet	Species not known to occur north of I-8 (USFWS 2003).

Source: USFWS 2007. Listed and candidate species for Maricopa County.

E: Endangered; T: Threatened; C: Candidate

REVISED

TO PLANS-	REVISIONS-	LOCATION-	DATE-	SURVEY NO.	FINISHED PLANS-	REVISIONS-	LOCATION-
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WASH 177

WASH 178

PLAN SHEET 10

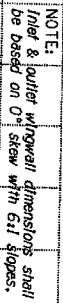
WASHES 177 AND 178

1 inch = 100 feet

STAGE IV		PRELIMINARY	
NOT FOR CONSTRUCTION		REMARKS: TRANSPORTATION	
FOR RECORDING		ROADWAY SECTION	
SHEET 31 OF 38		ROADWAY SECTION	
DATE: 01/01/00		DATE: 01/01/00	
DRAWN BY: J. L. B. / J. L. B.		DRAWN BY: J. L. B. / J. L. B.	
CHECKED BY: J. L. B. / J. L. B.		CHECKED BY: J. L. B. / J. L. B.	
APPROVED BY: J. L. B. / J. L. B.		APPROVED BY: J. L. B. / J. L. B.	
SR 85		MP 130.71 - MP 137.00	
TRAFFIC NO. 185955 07 C		-085-B(0111)	

F.A.R.A. REGION	STATE	PROJECT NO.	SHEET NO.	TOTAL SHEETS	AS BUILT
9	LAZ	-085-B(011)			

B5 MA 130



WFR Sta 861+04.22
New 3 - 10' x 6' x 89' CBC

21+00

TRACS NO. H5955 07 C		-085-B(011)
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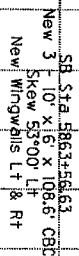
-085-B(011)

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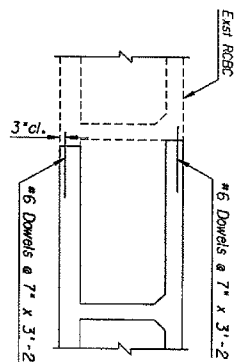
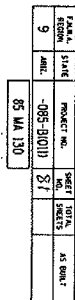


1 inch = 40 feet

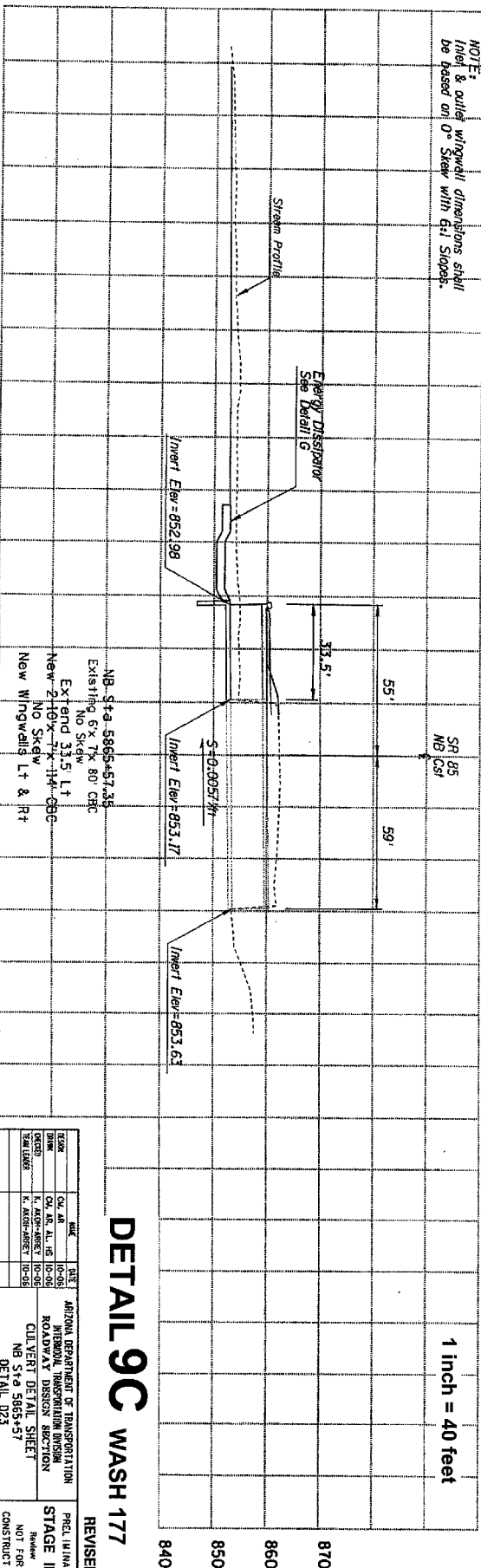


REVISED

REPORT	LOCAL BOOK	MP 130.71 - MP 137.00	OR RECORDING
SR 85			SHEET 26 OF 41



NOTE:
Inlet & outlet wingwall dimensions shall be based on 0° Skew with 6:1 Slopes.

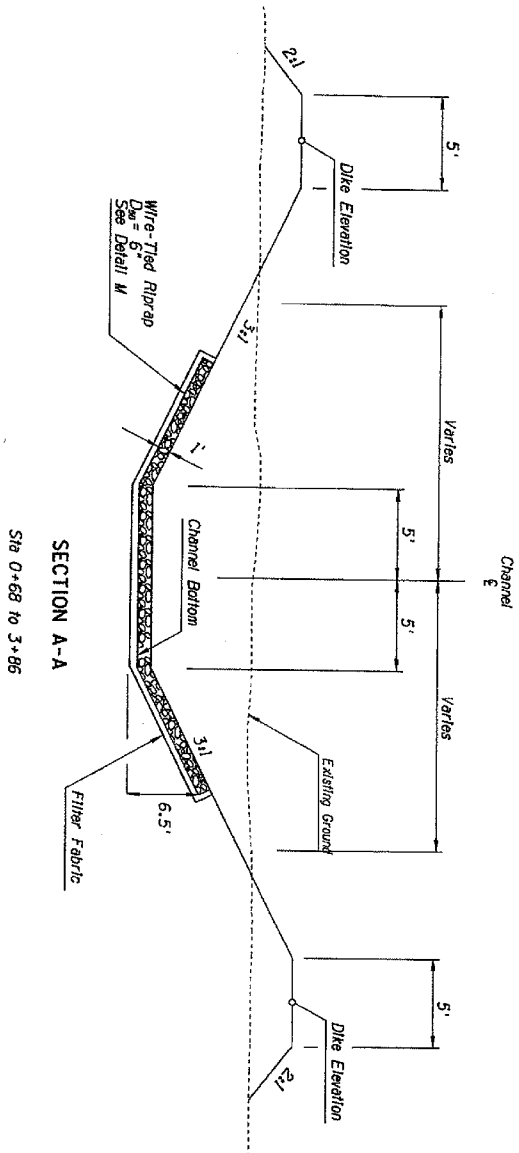


1 inch = 40 feet

DETAIL 9C WASH 177

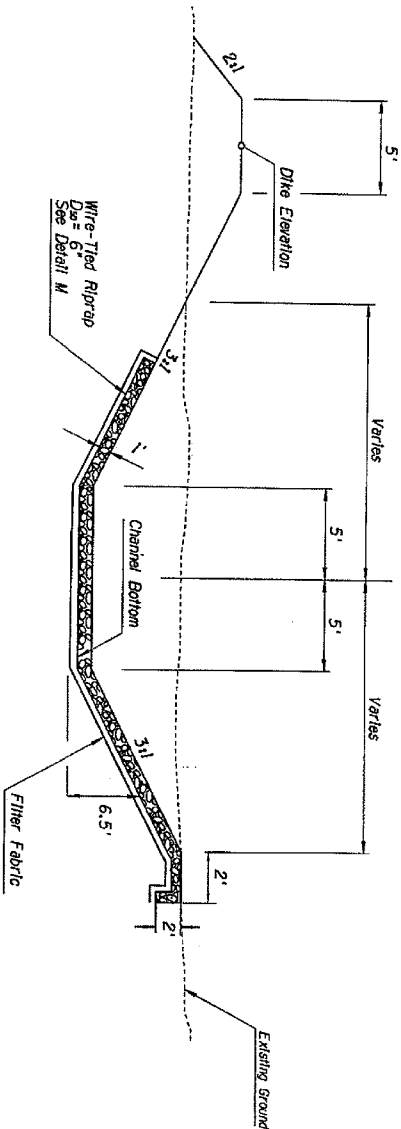
REVISED

PRELIMINARY STAGE III Review NOT FOR CONSTRUCTION OR RECORDING SHEET 21 OF 43		ARIZONA DEPARTMENT OF TRANSPORTATION AIRPORT, TRANSPORTATION DIVISION ROADWAY DESIGN SECTION CLIMATE DETAIL SHEET NB 546 565+57 DBAL 1263		DATE 10-06 C.D. 44 10-06 O.D. 44, 45 10-06 M. 40-40-40 10-06 N. 40-40-40 10-06 10-06		DESIGN LOCATION	
SR 85		MP 130.71 - MP 137.00		TRALES NO. H5955 07 C		-085-B(011)	
07							



SECTION A-A

Sta 0+68 to 3+86



SECTION A-A

Sta 4+74 to 13+75

DIKE ELEVATIONS

Station	Top of Dike Elevation
0+68.00 to 3+86.00	862.00
4+74.00 to 8+75.00	867.50
8+75.00 to 13+75.00	Match Exst

QUANTITIES

Channel Ex=15,515 CY
Drainage Dike=2,298 CY
Wire-Tied Riprap=2,203 CY

DETAIL 10B

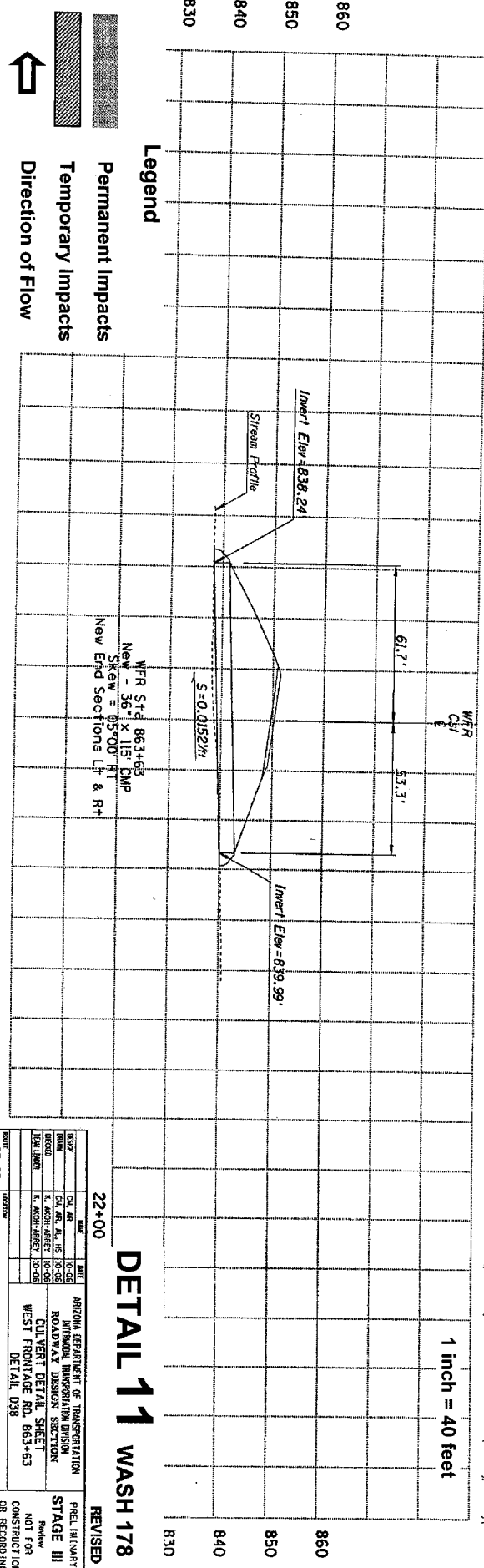
WOODS ROAD DRAINAGE CHANNEL

PROJECT NO.	DATE	PROJECT NO.	SHEET TOTAL	AS BUILT
85 MA 130	9	085-81011	39	
REVISIONS				
DATE	BY	DESCRIPTION		
10-06	CA, AL	ARIZONA DEPARTMENT OF TRANSPORTATION		
10-06	CA, AL, AS	INTERNAL TRANSPORTATION DIVISION		
10-06	CA, AL, AS	ROADWAY DESIGN SECTION		
10-06	CA, AL, AS	DETAIL SHEET		
10-06	CA, AL, AS	DETAIL P		
10-06	CA, AL, AS	DETAIL F		
10-06	CA, AL, AS	CONSTRUCTION		
10-06	CA, AL, AS	OR RECORDING		
SHEET 18 OF 39				

V:\ROADWAY\USERS\CS814\

8/21/2006 11:27:2006

V:\Roadway\Users\CS814\



21:00

DETAIL 1

WASH 178

DESIGN	DATE	DATE	ARIZONA DEPARTMENT OF TRANSPORTATION HIGHWAY TRANSPORTATION DIVISION ROADWAY DESIGN SECTION CULVERT DETAIL SHEET WEST FRONTAGE RD. 863+63 DETAIL D38
DRAWN	DATE	DATE	
CHECKED	DATE	DATE	
IN CHARGE	DATE	DATE	
DATE	DATE	DATE	
PROJECT	LOCATION	MP 130.71 - MP 137.00 SR 85	
TRACK NO. H5955 OF C			PAGE 1 OF 1 STAGE III REVIEW NOT FOR CONSTRUCTION OR RECORDING
-085-BI(11)			OF

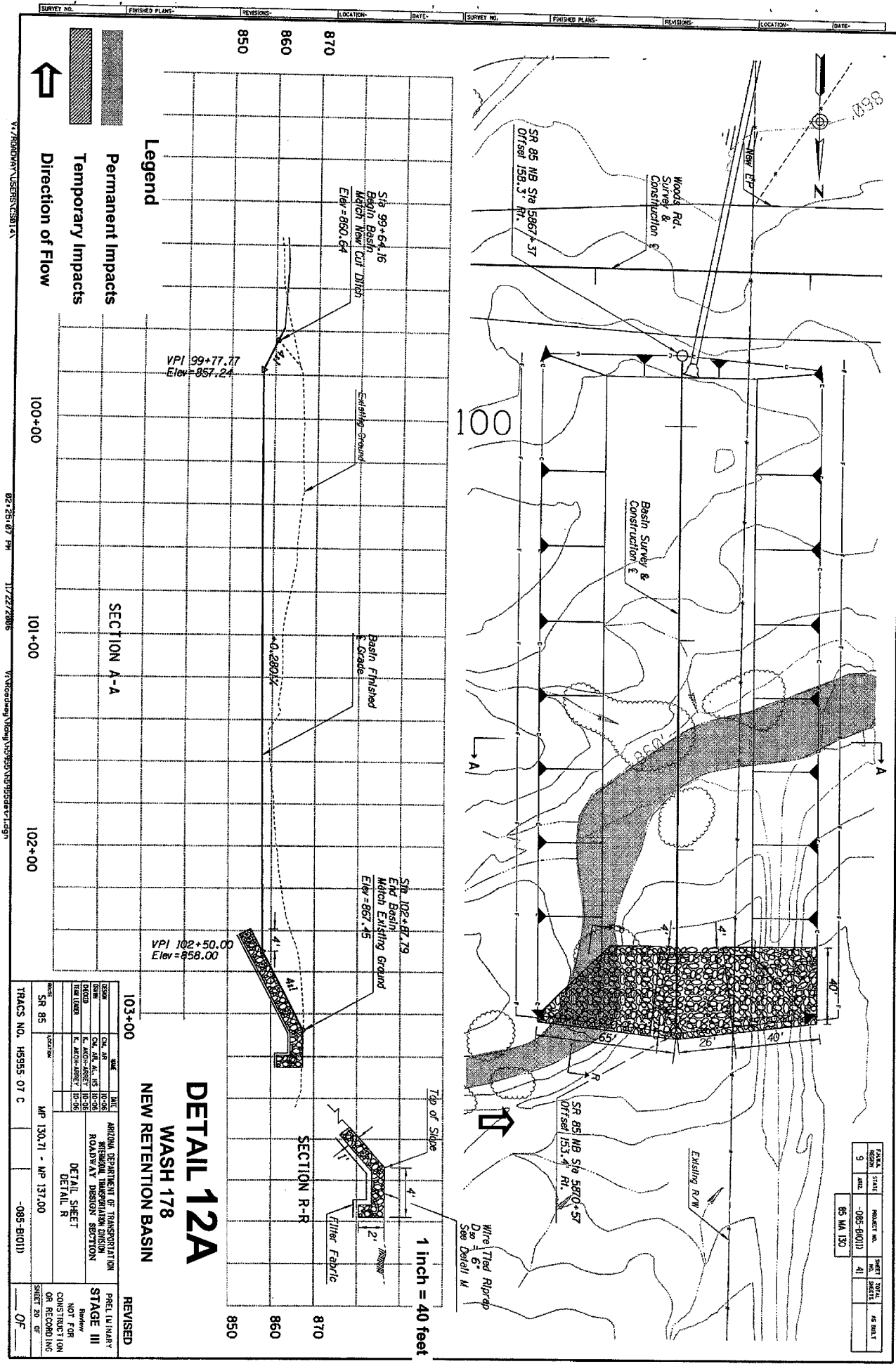
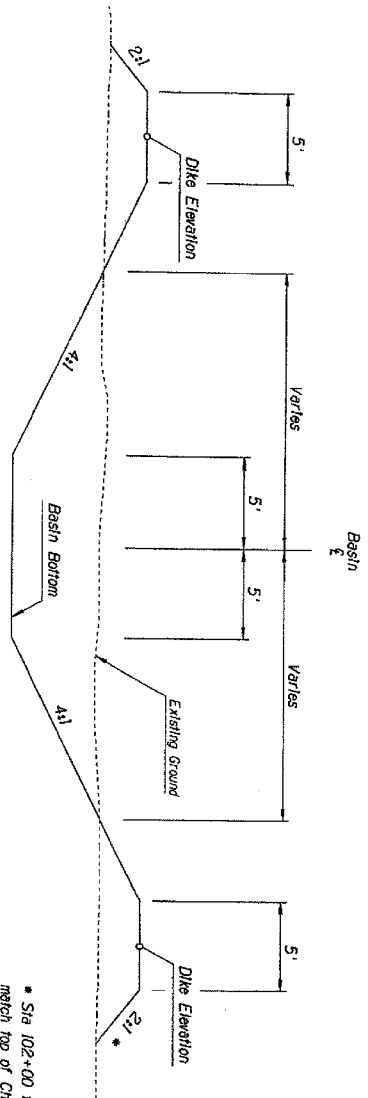


TABLE	DATE	PROJECT NO.	SHEET TOTAL	NO. SHEETS
9	10-05-00(11)	41	41	41
85 WA 130				

REVISION	DATE	DESCRIPTION
103+00	10-05-00	ARIZONA STATEMENT OF TRANSPORTATION
102+00	10-05-00	REVISION TRANSPORTATION DESIGN
101+00	10-05-00	ROADWAY DESIGN SECTION
100+00	10-05-00	DETAIL SHEET
SR 85	10-05-00	DETAIL R
MP 130.71 - MP 137.00		
TRACS NO. H5955 07 C		
-085-B(111)		
OF		

DETAIL 12A **WASH 178** **NEW RETENTION BASIN**

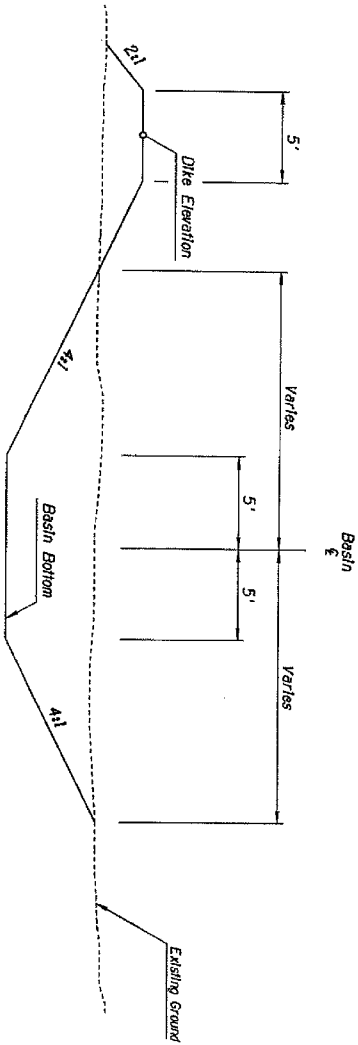
V:\Roadway\US85\CS11A\ 82'25.07' PM 11/27/2006 V:\Roadway\Highway\85\US85\US85.dwg:1:30



* Sta 102+00 to 102+50 adjust slope to match top of Channel. See Details 104 and 108.

SECTION A-A

Sta 101+75 to 102+88



SECTION A-A

Sta 99+64 to 100+25

STATE	PROJECT NO.	SHEET TOTAL	AS BUILT
9	-085-B(011)	42	
85 MA 130			

DIKE ELEVATIONS

Station	Top of Dike Elevation
99+64 to 100+50 LI & RI	Match Exst
100+50 to 101+75 RI	865.00
101+75 to 102+88 RI	865.00

QUANTITIES

Channel Ex=6,688 CY
Drainage Dike=1,654 CY
Wire-tied Riprap=95 CY

DETAIL 12B
WASH 178
NEW RETENTION BASIN

REVISED

DATE	BY	REVISION
10-06	DM, AL	PREL. DRAINAGE
10-06	DM, AL, HS	INTERIOR TRANSPORTATION DIVISION
10-06	DM, AL, HS	ROADWAY DESIGN SECTION
10-06	DM, AL, HS	DETAIL SHEET
10-06	DM, AL, HS	DETAIL R
10-06	DM, AL, HS	CONSTRUCTION OR RECORD LINE

SR 85 MP 130.71 - MP 137.00

OF